

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Ray J. Wu and Tuan-Hua David Ho  
Serial No. : 09/350,393  
Filed : July 9, 1999  
For : METHOD OF MAKING WATER STRESS OR SALT STRESS TOLERANT  
TRANSGENIC CEREAL PLANTS

TRANSMITTAL LETTER

Assistant Commissioner For Patents  
Washington, D.C. 20231  
Box: Missing Parts



Dear Sir:

In response to the Notice to File Missing Parts of Application Under 37 CFR 1.53(d), which was mailed by the United States Patent and Trademark Office on **August 10, 1999**, enclosed are:

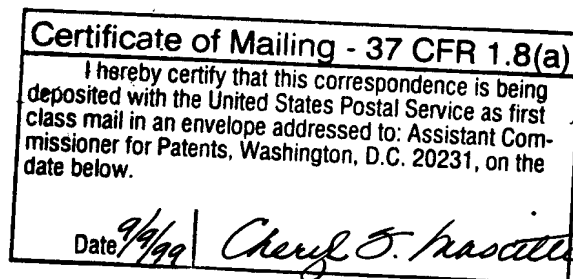
- ☒ Two Combined Declaration and Power of Attorneys.
  - ☒ Two verified statements to establish small entity status under 37 CFR 1.9 and 1.27.
  - ☒ A Request for Corrected Filing Receipt and Copy of Official Filing Receipt.
  - ☒ A copy of the Notice to File Missing Parts.
  - ☒ A self-addressed, prepaid postcard for acknowledging receipt.
  - ☒ Fees as calculated below:
- |   |         |
|---|---------|
| FEE FOR (ONE, TWO OR THREE)-MONTH EXTENSION OF TIME | \$      |
| SURCHARGE 37 CFR 1.16(e)                            | \$65.00 |
| ADDITIONAL FEES                                     | \$      |
| TOTAL FEES SUBMITTED HERewith                       | \$65.00 |
- ☒ A check in the amount of **\$65.00** to cover the above fees.
  - ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 14-1138. A duplicate copy of this sheet is enclosed.

Date: September 9, 1999

Georgia Caton  
Registration No. P44,597

Nixon Peabody LLP  
Clinton Square, P.O. Box 1051  
Rochester, New York 14603  
Telephone: (716) 263-1672  
Facsimile: (716) 263-1600

R333458.1



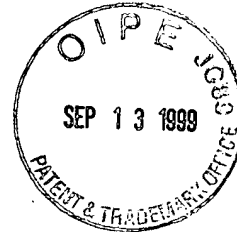
FILING RECEIPT



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/350,393	07/09/99	1649	\$443.00	19603/2760(C	10	27	2

MICHAEL L GOLDMAN  
NIXON PEABODY LLP  
CLINTON SQUARE  
P O BOX 1051  
ROCHESTER NY 14603



Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts of Application" ("Missing Parts Notice") in this application, please submit any corrections to this Filing Receipt with your reply to the "Missing Parts Notice." When the PTO processes the reply to the "Missing Parts Notice," the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s) RAY J. WU, ITHACA, NY; TUAN-HUA DAVID HO, CHESTERFIELD, MO.

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 08/10/99

TITLE

METHOD OF MAKING WATER STRESS OR SALT STRESS TOLERANT TRANSGENIC CEREAL PLANTS

PRELIMINARY CLASS: 800

ENTERED  
Nixon Peabody LLP  
AUG 19 1999  
FILE 19603/2760  
DKT *[Signature]*

DATA ENTRY BY: WASHINGTON, KAREN TEAM: 01 DATE: 08/10/99

\*\*\*\*\*

(See reverse for new important information)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Wu et al.  
Serial No : 09/350,393  
Filed : July 9, 1999  
For : METHOD OF MAKING WATER STRESS  
OR SALT STRESS TOLERANT  
TRANSGENIC CEREAL PLANTS



Examiner:  
Unknown

Art Unit:  
1649

REQUEST FOR CORRECTED FILING RECEIPT

Assistant Commissioner for Patents  
Washington, D.C. 20231  
**Box: Missing Parts**


Dear Sir:

Applicants hereby request a corrected filing receipt for the above-identified application. On the enclosed copy of the official filing receipt, the entity status is omitted. It should read "SMALL ENTITY", per the small entity declaration being filed with the enclosed Response to Notice to File Missing Parts.

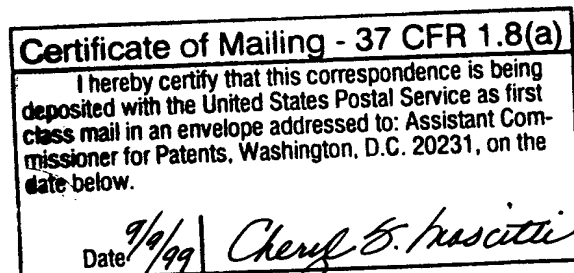
Since Applicants are not responsible for this error, no fee is enclosed.

Respectfully submitted,

Dated: September 9, 1999

  
Georgia Caton  
Registration No. P44,597

Nixon Peabody LLP  
Clinton Square, P.O. Box 1051  
Rochester, New York 14603  
Telephone: (716) 263-1672  
Facsimile: (716) 263-1600





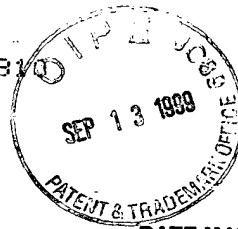
UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/350,393	07/09/99	WU	R 19603/2760 (C)

MICHAEL L GOLDMAN  
NIXON PEABODY LLP  
CLINTON SQUARE  
P O BOX 1051  
ROCHESTER NY 14603

0212/0810



NOT ASSIGNED

1649

DATE MAILED:

08/10/99

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 573

☒ 1. The statutory basic filing fee is:

- ☐ missing.  
☒ insufficient.

Applicant must submit \$ 317 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☒ 2. The following additional claims fees are due:

\$ 120 for total claims over 20.

\$ for independent claims over 3.

\$ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unsigned.  
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17, or less previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

19603/2760dly  
RESPONSE DUE  
OCTOBER 10, 1999

09/15/1999 0000046 0350378  
01 52:205